

(5) The procedures each air carrier having security responsibility over an exclusive area will use to notify the airport operator when the procedures, facilities, and equipment it uses are not adequate to perform the control functions described in §107.13(a).

(6) A description of the alternate security procedures, if any, that the airport operator intends to use in emergencies and other unusual conditions.

(7) A description of the law enforcement support necessary to comply with §107.15.

(8) A description of the training program for law enforcement officers required by §107.17.

(9) A description of the system for maintaining the records described in §107.23.

(c) The airport operator may comply with paragraph (b), (f), or (g) of this section by including in the security program as an appendix any document which contains the information required by paragraph (b), (f), or (g) of this section.

(d) Each airport operator shall maintain at least one complete copy of its approved security program at its principal operations office, and shall make it available for inspection upon the request of any Civil Aviation Security Special Agent.

(e) Each airport operator shall—

(1) Restrict the distribution, disclosure, and availability of sensitive security information, as defined in part 191 of this chapter, to persons with a need-to-know; and

(2) Refer requests for security sensitive information by other persons to the Assistant Administrator for Civil Aviation Security.

(f) For each airport subject to this part regularly serving scheduled passenger operations conducted in airplanes having a passenger seating configuration (as defined in §10.3 of this chapter) of more than 30 but less than 61 seats, the security program required by paragraph (a) of this section must include at least the following:

(1) A description of the law enforcement support necessary to comply with §107.15(b), and the procedures which the airport operator has arranged to be used by the certificate holder or for-

eign air carrier to summon that support.

(2) A description of the training program for law enforcement officers required by §107.17.

(3) A description of the system for maintaining the records described in §107.23.

(g) For each airport subject to this part where the certificate holder or foreign air carrier is required to conduct passenger screening under a security program required by §108.5(a) (2) or (3) or §129.25(b) (2) or (3) of this chapter, or conducts screening under a security program being carried out pursuant to §108.5(b), as appropriate, the security program required by paragraph (a) of this section must include at least the following:

(1) A description of the law enforcement support necessary to comply with §107.15.

(2) A description of the training program for law enforcement officers required by §107.17.

(3) A description of the system for maintaining the records described in §107.23.

[Doc. No. 16245, 43 FR 60792, Dec. 28, 1978, as amended by Amdt. 107-1, 46 FR 3785, Jan. 15, 1981; Amdt. 107-5, 54 FR 28765, July 7, 1989; Amdt. 107-10, 62 FR 13744, Mar. 21, 1997]

#### § 107.5 Approval of security program.

(a) Unless a shorter period is allowed by the Director of Civil Aviation Security, each airport operator seeking initial approval of a security program for an airport subject to this part shall submit the proposed program to the Director of Civil Aviation Security at least 90 days before any scheduled passenger operations are expected to begin by any certificate holder or permit holder to whom §121.538 or §129.25 of this chapter applies.

(b) Within 30 days after receipt of a proposed security program, the Director of Civil Aviation Security either approves the program or gives the airport operator written notice to modify the program to make it conform to the applicable requirements of this part.

(c) After receipt of a notice to modify, the airport operator may either submit a modified security program or petition the Administrator to reconsider the notice to modify. A petition

## § 107.7

## 14 CFR Ch. I (1–1–01 Edition)

for reconsideration must be filed with the Director of Civil Aviation Security.

(d) Upon receipt of a petition for reconsideration, the Director of Civil Aviation Security reconsiders the notice to modify and either amends or withdraws the notice or transmits the petition, together with any pertinent information, to the Administrator for consideration.

(e) After review of a petition for reconsideration, the Administrator disposes of the petition by either directing the Director of Civil Aviation Security to withdraw or amend the notice to modify, or by affirming the notice to modify.

[Doc. No. 16245, 43 FR 60792, Dec. 28, 1978, as amended by Amdt. 107–5, 54 FR 28765, July 7, 1989]

### § 107.7 Changed conditions affecting security.

(a) After approval of the security program, the airport operator shall follow the procedures prescribed in paragraph (b) of this section whenever it determines that any of the following changed conditions has occurred:

(1) Any description of an airport area set out in the security program in accordance with § 107.3(b) (1), (2), or (3) is no longer accurate.

(2) The procedures included, and the facilities and equipment described, in the security program in accordance with § 107.3(b) (4) and (5) are not adequate for the control functions described in § 107.13(a).

(3) The airport operator changes any alternate security procedures described in the security program in accordance with § 107.3(b)(6).

(4) The law enforcement support described in the security program in accordance with § 107.3 (b)(7), (f)(1), or (g)(1) is not adequate to comply with § 107.15.

(5) Any changes to the designation of the Airport Security Coordinator (ASC) required under § 107.29.

(b) Whenever a changed condition described in paragraph (a) of this section occurs, the airport operator shall—

(1) Immediately notify the FAA security office having jurisdiction over the

airport of the changed condition, and identify each interim measure being taken to maintain adequate security until an appropriate amendment to the security program is approved; and

(2) Within 30 days after notifying the FAA in accordance with paragraph (b)(1) of this section, submit for approval in accordance with § 107.9 an amendment to the security program to bring it into compliance with this part.

[Doc. No. 16245, 43 FR 60792, Dec. 28, 1978, as amended by Amdt. 107–1, 46 FR 3786, Jan. 15, 1981; 46 FR 36053, July 13, 1981; Amdt. 107–6, 56 FR 41424, Aug. 20, 1991]

### § 107.9 Amendment of security program by airport operator.

(a) An airport operator requesting approval of a proposed amendment to the security program shall submit the request to the Director of Civil Aviation Security. Unless a shorter period is allowed by the Director of Civil Aviation Security, the request must be submitted at least 30 days before the proposed effective date.

(b) Within 15 days after receipt of a proposed amendment, the Director of Civil Aviation Security issues to the airport operator, in writing, either an approval or a denial of the request.

(c) An amendment to a security program is approved if the Director of Civil Aviation Security determines that—

(1) Safety and the public interest will allow it, and

(2) The proposed amendment provides the level of security required by § 107.3.

(d) After denial of a request for an amendment the airport operator may petition the Administrator to reconsider the denial. A petition for reconsideration must be filed with the Director of Civil Aviation Security.

(e) Upon receipt of a petition for reconsideration the Director of Civil Aviation Security reconsiders the denial and either approves the proposed amendment or transmits the petition, together with any pertinent information, to the Administrator for consideration.